

ELNATHAN SEARS—CHILDREN OF.

[To accompany Bill H. R. No. 442.]

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MARCH 23, 1860.

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Mr. POTTER, from the Committee on Revolutionary Pensions, made the following

REPORT.

*The Committee on Revolutionary Pensions, to whom was referred the petition of Mary Miller, who, for herself and the other surviving children of Elnathan Sears, asks an increase of pension, report :*

That they have had the same under consideration, and adopt the report made at the 3d session 34th Congress in the same case, and report a bill accordingly.

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IN THE HOUSE OF REPRESENTATIVES, February 13, 1857.

Mr. K. MILLER, from the Committee on Revolutionary Pensions, made the following report :

*The Committee on Revolutionary Pensions, to whom was referred the petition of Mary Miller, who, for herself and the other surviving children of Elnathan Sears, asks an increase of his pension, reports :*

That the petitioner is one of the children of said Sears, who received a pension under the act of May 15, 1828, as a sergeant in the war of American independence. She now claims that her deceased father, the said Elnathan Sears, served as a lieutenant, and should have been pensioned as such. The testimony produced has established to the satisfaction of the committee that he, the said Sears, received the commission of a lieutenant while serving in said army, from various facts : 1st, by his positive and particular affidavit, stating how and when he obtained his commission and the circumstances under which it was lost ; secondly, the affidavit of John Divine, a fellow-soldier, who swears that he saw and read a commission appointing said Sears a lieutenant. The reputation of this witness is proved to be good. Lastly, it is established that, after the conclusion of the war, the said Elnathan Sears was generally reputed in his neighborhood to have been an officer in the revolutionary army.

With this testimony before them, the committee ask leave to report

a bill granting a pension for the difference of pay, say between a sergeant's pay and that of a lieutenant, for full two years' service, to be paid to the said Mary Miller and the other surviving children of the said Lieutenant Elnathan Sears from the date he was pensioned to that of his death.